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#13

RCE/1742  
#4

PTO/SB/30 (08-00)

REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.  
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/934,546
Filing Date	August 23, 2001
First Named Inventor	Akio KONISHI
Group Art Unit	1742
Examiner Name	S. Kastler
Attorney Docket Number	VX012340

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on: \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on: \_\_\_\_\_
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Other Transmittal of Drawings filed in USPTO on 7/24/03

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 22-0256
- i. ☐ RCE fee required under 37 C.F.R. § 1.17(e). 07/25/2003 KZEWIDIE 00000018 09934546
- ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17). 01 FC:1801 750.00 DP
- iii. ☒ Other any deficiencies in the enclosed fees.
- b. ☒ Check in the amount of \$ 750.00 is enclosed.
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	R. Eugene Varndell, Jr.	Registration No. (Attorney/Agent)	29,728
Signature		Date	July 24, 2003

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print/Type)	
Signature	
Date	



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the application of:

Inventor(s) : Akio KONISHI  
Serial Number : 09/934,546  
Filed : August 23, 2001  
For : APPARATUS FOR FABRICATING POWDERY  
THERMOELECTRIC MATERIAL AND METHOD OF  
FABRICATING POWDERY THERMOELECTRIC MATERIAL  
USING THE SAME  
Examiner : S. Kastler  
Group Art Unit : 1742

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**VOLUNTARY AMENDMENT UNDER 37 C.F.R. § 1.111**

The Honorable Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

July 24, 2003

Dear Sir:

This voluntary amendment is being filed together with a request for continue examination (RCE) and a transmittal of drawings. These papers are being filed in response to the Official action mailed March 19, 2003, which set forth a three-month period for response, making the attached RCE and transmittal of drawings due on or before July 28, 2003.

Please amend the above-identified application as follows: